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JAMES R. HUMPHREY
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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

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CIVIL ACTION NO. C-1-00-869

MARK R. HOOP and
LISA J. HOOP

PLAINTIFFS/
COUNTERCLAIM DEFENDANTS

V.

**MOTION FOR ORDER HOLDING
PLAINTIFFS/COUNTERCLAIM DEFENDANTS IN CONTEMPT**

JEFFREY W. HOOP, STEPHEN E. HOOP, and
HOOPSTERS ACCESSORIES, INC.

DEFENDANTS/
COUNTERCLAIM PLAINTIFFS

* * * * *

Defendants/Counterclaim Plaintiffs, Jeffrey W. Hoop ("Jeff"), Stephen E. Hoop, and Hoopsters Accessories, Inc. (collectively "Defendants"), by counsel, move the Court for an Order holding Plaintiffs/Counterclaim Defendants, Mark R. Hoop and Lisa J. Hoop ("Plaintiffs"), in contempt of this Court. As grounds for this Motion, Defendants state that:

1. In this Court's Order, which granted Defendants' oral Motion for Exclusive Possession of Equipment and was entered February 12, 2004, the Court ordered Plaintiffs to: (a) assemble the following described property: the zinc die cast mold; mold shoes; insert steels; any and all bump dies; two station trim die, if in existence; multiple station fixture; secondary operation holding fixture; wax renderings and the molds upon which the wax renderings are located; and contoured stamping die and any and all other equipment designed, developed, and/or constructed by them or any third party for them or any of their companies for the production and/or manufacturing of the eagle design motorcycle fairing guards (the "Equipment") and all eagle design motorcycle fairing guards in their possession or within

their control, whether completed or in any of the various stages of production; and (b) relinquish possession of the Equipment and all eagle design motorcycle fairing guards in their possession or within their control, whether completed or in any of the various stages of production, to Defendants, undamaged and in good and proper working order, immediately and, in no event, no later than 5:00 p.m., on Thursday, February 12, 2004, or, in the alternative, post a \$49,500.00 cash bond with the United States District Court Clerk, Southern District of Ohio, Western Division, no later than 5:00 p.m., on Thursday, February 12, 2004.

2. Plaintiffs failed to post a \$49,500.00 cash bond with the United States District Court Clerk, Southern District of Ohio, Western Division, no later than 5:00 p.m., on Thursday, February 12, 2004.
3. Plaintiffs failed and/or refused to relinquish possession of *all* of the Equipment to Defendants.
4. On February 13, 2004, Jeff received the zinc die cast mold from Accro-Cast Corporation (a copy of the Shipping Memo is attached hereto as Exhibit 1).
5. On February 13, 2004, Jeff received one right side bump die for right side eagles; one two-station holding fixture for holding die cast eagles for tab removal; and the following die cast eagle fairing guards, both finished and unfinished: 104 unfinished, 4 right chrome, 4 left chrome, 3 left chrome, 3 left gold, and 3 right gold, from the law office of Alfred J. Mangels (a copy of a statement signed by Jeff is attached hereto as Exhibit 2).
6. Plaintiffs have failed and/or refused to comply with the Court's Order.

WHEREFORE, Defendants, by counsel, respectfully request the Court for an Order holding Plaintiffs in contempt of this Court.

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Stella B. House, J.D.
Counsel for Defendants/
Counterclaim Plaintiffs
Kentucky Bar No. 81805

NOTICE

The foregoing Motion for Order Holding Plaintiffs/Counterclaim Defendants in Contempt will be heard at the convenience of this Honorable Court.

STELLA B. HOUSE
ATTORNEY AT LAW, P.S.C.

By: Stella B. House, Esq.
Stella B. House, J.D.
Counsel for Defendants/
Counterclaim Plaintiffs

CERTIFICATE OF SERVICE

I certify that an accurate copy of the Motion for Order Holding Plaintiffs/Counterclaim Defendants in Contempt was mailed to Alfred J. Mangels, Esq., Co-Counsel for Plaintiffs/Counterclaim Defendants, 4729 Cornell Road, Cincinnati, Ohio 45241, and Timothy A. Magee, Esq., Co-Counsel for Plaintiffs/Counterclaim Defendants, 130 Sherman Drive, Findlay, Ohio 45840, by United States mail, postage prepaid, on February 16, 2004.

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STELLA B. HOUSE
ATTORNEY AT LAW, P.S.C.

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